

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

GLOBAL PLASMA SOLUTIONS, INC.,
Plaintiff,

v.
D ZINE PARTNERS, LLC and
MARWA ZAATARI
Defendants.

CIVIL ACTION NO. 3:21-cv-00884-D
JURY TRIAL DEMANDED

**DEFENDANTS DR. MARWA ZAATARI'S & D ZINE PARTNERS'
MOTION FOR PROTECTION FROM DEPOSITION UNTIL NEW
COUNSEL CAN BE LOCATED**

1. Defendant Dr. Marwa Zaatari, (“Defendant” or “Dr. Zaatari”) and Defendant D Zine Partners LLC, (“Defendant” or “D Zine”), file this the Defendants’ Motion for Protection from Deposition, and Defendants state as follows:

I. TERMINATION OF COUNSEL

2. Defendants have had a change in circumstances in that Defendants terminated their Counsel on Saturday, July 9, 2022. Such termination results in this requested delay due to the need to retain replacement counsel.

3. Defendants have already sought out counsel, but need time to fulfill the required financial requirements. Defendants request a one month delay in depositions and other deadlines.

II. PROTECTION WILL NOT CAUSE UNDUE DELAY

4. In any event, GPS is the source of the delay in this case, specifically in scheduling depositions. GPS has already waited a year to start depositions. GPS can

wait a few more weeks to depose Dr. Zaatari and D Zine, especially when the expert depositions are already being staggered into August 2022.

III. CURRENT DEPOSITION NOTICE BY GPS

5. GPS has yet to provide all of the discovery items despite GPS being compeled to do so by this court. GPS has been playing coy and wasting this court's time by deflecting their responsibility and obfuscating the facts of this case. Dr. Zaatari was ready to be deposed in March, however enVerid council objected to any depostions prior to GPS providing full GPS discovery. To this date, GPS has not abided by the order to compel of discovery nor complied with full discovery. GPS just produced again last week, GPS Production number 14.

6. This Response to the GPS' Motion to Compel and Request for Protection has been necessitated by the legal change in circumstances.

IV. PRAYER

Defendants Dr. Marwa Zaatari and D Zine respectfully request the Court to grant their Protective Motion and for such other relief as is proper. Defendants ask the Court for a thirty day extension in which to retain new Counsel.

Dated : July 11, 2022.

Respectfully submitted,

THE ESSMYER LAW FIRM

/s/ Michael M. Essmyer, Sr.

MICHAEL M. ESSMYER, Sr.
State Bar No. 06672400
messmyer@essmyerlaw.com
6602 Westview Dr.
Houston, Texas 77022
(713) 898-1320 Cell
(713) 869-1155 Telephone
(713) 869-8659 Facsimile

The Law Office of Paul M. Sullivan, PLLC

/s/ Paul M. Sullivan
Paul Sullivan
State Bar No. 24102546
paul.sullivan@psullivanlawfirm.com
6602 Westview Dr.
Houston, Texas 77022
(713) 869-1155 Telephone
(281) 783-2220 Fax
Pro hac vice

STALCUP LAW

/s/ Brett B. Stalcup
Brett B. Stalcup
Texas Bar No. 19011800
Email: bstalcup@stalcuplaw.com
Michael Theo Smith
Oregon Bar No. 032128
Texas Bar No. 24117985
Email: smith@stalcuplaw.com
3811 Turtle Creek Blvd.,
Suite 175
Dallas, Texas 75219
Tel. (214) 219-1000
Fax. (214) 219-1003

**Current Attorneys for D Zine Partners,
LLC and Marwa Zaatari**

CERTIFICATE OF CONFERENCE

On Sunday the 10th day of July 2022 Defendants' current counsel Michael M. Essmyer, Sr. called GPS counsel Robert Muckenfuss at McGuire Woods and discussed the Defendants' proposed reset of the deposition of Defendant Marwa Zatari, Husband Ahmad Zaatari and Michael Studer. GPS opposes this Motion and has now filed its own Motion to Compel.

/s/ Michael M. Essmyer, Sr.
Michael M. Essmyer, Sr.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all known counsel of record in accordance with the applicable Federal Rules of Civil Procedure on this 11th day of July 2022.

McGuireWoods LLP
Justin Opitz
Matthew W. Cornelia
2000 McKinney Avenue, Suite 1400
Dallas, Texas 75201
Tel. 214-932-6400
Fax: 214-932-6499
jopitz@mcguirewoods.com
mcornelia@mcguirewoods.com

Robert A. Muckenfuss (pro hac vice)
Kelly A. Warlich (pro hac vice)
201 North Tryon Street, Suite 3000
Charlotte, NC 28202
Tel: 704-343-2000

Fax: 704-343-2300
rmuckenfuss@mcguirewoods.com
kwarlich@mcguirewoods.com

Lucy Jewett Wheatley (pro hac vice)
800 East Canal Street
Richmond, VA 23219
Tel: 804-775-4320
Fax: 804-698-2017
lwheatley@mcguirewoods.com

Counsel for Plaintiff, Global Plasma Solutions, Inc.

Aaron Z. Tobin
Texas Bar No. 24028045
atobin@condontobin.com
Kendal B. Reed
Texas Bar No. 24048755
kreed@condontobin.com
Leah K. Lanier
Texas Bar No. 24080068
llanier@condontobin.com

CONDON TOBIN SLADEK THORNTON NERENBERG PLLC

8080 Park Lane, Suite 700
Dallas, Texas 75231
Telephone: (214) 265-3800
Facsimile: (214) 691-6311

ATTORNEYS FOR DEFENDANT ENVERID SYSTEMS, INC.

/s/ Michael M. Essmyer, Sr.
Michael M. Essmyer, Sr.